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For San Francisco: Dec. 22  
From Vancouver: Jan. 8  
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# EVENING BULLETIN

3:30 EDITION

Honolulu merchants want and Honolulu buyers need the Bulletin most

3 Days  
To Christmas

DO YOUR SHOPPING EARLY

VOL. XI. NO. 4497.

16 PAGES.—HONOLULU, TERRITORY OF HAWAII, TUESDAY, DECEMBER 21, 1908.—16 PAGES.

PRICE 5 CENTS.

# COOK BRANDED FRAUD

## Federal Court Is Now Closed

### Woodruff's Departure Halts Legal Machinery Of The Federal Government

In addition to being deprived of the essential legal machinery of a Territorial Supreme Court, Hawaii is now without a United States District Court—due to the hurried departure from the Territory of Judge Woodruff and the necessary construction placed upon the law by United States Judge Dole and United States District Attorney Breckons. Not even in case of the most vital emergency could the United States court be convened, although Judge Dole is present and the machinery could be set in motion without a moment's delay. The act passed by the Sixtieth Congress of the United States provided for two Federal Judges, Judge Dole previously having handled all the business of the court alone. The law is so worded, however, that while Woodruff's resignation does not take effect until the first of the year his departure on the Korea for the mainland yesterday makes it impossible now for the United States Federal Court to hold a session.

Judge Dole and the United States District Attorney were in consultation on the legal aspect of the question.

involved and have come to the conclusion that there is no way out of the difficulty and that no session of the United States District Court can be again convened until a successor to Judge Woodruff is nominated by President Taft, confirmed by the Senate and ready to assume his duties as the Second Federal Judge.

The statute covering the point passed by the Sixtieth Congress reads as follows: "There shall be established in the said Territory a District Court, to consist of two judges, who shall reside therein and be called district judges and who shall receive an annual salary of \$6000. The said court while in session shall be presided over by only one of said judges."

This is held by Judge Dole and United States District Attorney Breckons to mean that it will be impossible for the machinery of the United States court to continue in operation, and it has accordingly ceased.

It is believed that even habeas corpus matters cannot be taken up by Judge Dole and that the Federal Court is now absolutely without legal existence.

## MAUI SUPERVISORS HAVE GOOD WORK IN SIGHT

### Kahului Jail Contract Has Proved No Great Success

#### BELT ROADS AND SECOND STORY FOR WAILUKU JAIL

Large Amount of Business Done at Meeting Held for Making Plans for the New Year of Work—Many Improvements.

(Special to the Bulletin.)  
Wailuku, Maui, Dec. 17.—The Maui County Board, Supervisors W. E. Pogue, W. P. Hale, T. R. Lyons, Geo. Kaui, and T. T. Meyers returned from their automobile trip to Kailua and Kanao districts, Makawao and Honouliuli, last Tuesday afternoon. They inspected all the old and the new roads in and around Makawao. Meyers of Molokai cannot find words to express his admiration of the beautiful roads in Makawao district, and the other members of the Board all join in.

Hale is trying his best to put the roads in his district in as fair a condition, but it takes time. Wailuku roads are in fairly fine condition, and the new Punene Avenue will be the finest in the country when that thoroughfare is opened for traffic.

During the next twelve months, ending December 31, 1910, the county expects to receive about \$255,650 and to spend about \$242,205, thus leaving a net balance of \$13,445 to next account providing no unforeseen emergencies arise to consume the said surplus, although it would take more than double that amount for twelve years to pay off the belt road expense for which the county has set apart \$6000 to be used next year for surveys alone. It is estimated that the belt road will cost about \$300,000, and the county expects to ask the next legislature for such a loan, hence the appropriation for preliminary surveys.

The county has also set apart \$8000 (Continued on Page 7.)

## PLANTERS PLEASED WITH FILIPINOS

The Little Brown Brother from the Philippines who is arriving here in a pretty steady stream to aid in filling the ranks of plantation laborers on the various large sugar estates in the Territory of Hawaii, is apparently coming into his own, and he stands about as high with his employer.

The Filipinos are making good on the plantations according to a number of letters which have been forwarded to Agent C. A. Stevens, who is carrying on a successful campaign for recruits down in Panay and Negros in the Philippine archipelago.

From plantation managers and agents Steven has received communications of extremely eulogistic nature, of which the following are excerpts:

Mr. Adams, manager of the Kahului Plantation, states that many of his men have taken hold very well, only a few of them being undesirable.

Mr. Bull of Oahu Sugar Co. built a special camp for his lot and tried to make conditions as comfortable as possible, furnishing them with free food for several days and in other ways nursing them along. He states that 75 per cent of his lot are good men.

(Continued on Page 7.)

#### SUGAR

SAN FRANCISCO, Dec. 21.—Sugar—96 degrees centrifugals, 4.05 cents or 88 per ton. Previous quotation, 4.08 cents.

## COOK CLAIM FALSE

COPENHAGEN, Dec. 21.—The final brand of fraud was placed on the claims of Explorer Cook today when the report of the University of Copenhagen scientists was made public.

The committee having the matter in charge has submitted Dr. Cook's records to a searching investigation and announced today that the records turned over to them by the explorer fail to prove that he reached the North Pole. The statement proceeds further and declares that the alleged records of Dr. Cook are valueless.

This has created a profound sensation in the official circles where Dr. Cook was received with such marked favor on his arrival from the North.

Newspaper correspondents have been unable to find Cook or learn of his probable whereabouts. It is believed that he is in retirement somewhere in Europe.

Cook's claim that he reached the North Pole April 21, 1908, is now utterly discredited, the University of Copenhagen scientists being the only ones who had not repudiated his claim.

## Flint Asks For All Papers

(Special Bulletin Cable.)  
WASHINGTON, Dec. 21.—Senator Flint has made a request for all papers touching on the Ballinger-Pinchot controversy.

## Dickinson To Porto Rico

(Special Bulletin Cable.)  
WASHINGTON, Dec. 21.—Secretary of War Dickinson sailed today for Porto Rico in the United States yacht Mayflower. The Secretary goes to the new possession for the purpose of investigating conditions in general and especially that touching on the extension of citizenship to the natives of Porto Rico.

#### MINISTER CHONG VISITS TAFT

(Special Bulletin Cable.)  
WASHINGTON, Dec. 21.—President Taft received the new Chinese Minister today.

#### STONE IS NAVAL OFFICER

WASHINGTON, Dec. 21.—The President today nominated George Stone as naval officer of San Francisco. This is the post so long held by John P. Irish.

The Senate confirmed the appointment of Robert Bacon as American Ambassador to France. Bacon was assistant secretary of state under Secretary Root and succeeds Ambassador White.

BULLETIN ADS PAY

## STOCKS ARE LIVELY; ALL QUOTATIONS ADVANCING

### Olaa Revives Under Plan To Refund Its Bond Indebtedness

#### HAWAIIAN COMMERCIAL AGAIN REACHES NEW FIGURE

Wailua Strong at 120 and Whole List Is Coming Back to Former Figures With Prospect of Going Higher.

Olaa jumped this morning, following the call for the meeting of Olaa stockholders to pass upon the plan to refund the indebtedness of the plantation and consolidate at least \$2,500,000 of the bonded and floating indebtedness in a new bond issue. This refunding will of course be carried through by Bishop & Co. and will be consummated on the next interest-payment date, February 1.

This definite announcement of what has long been expected had the effect of bracing the stock and the last sale on the Board this morning was 6.75. It is probable that the stock will advance steadily but nothing sensational is expected because the stock has been so religiously knocked by a certain coterie.

Although public interest centered in Olaa, the whole list is very strong and buying orders are still the rule. The drop in the price of sugar had no effect among those who understand the raw sugar situation. The price was expected to drop and the fact that it does not go lower shows the strength of the sugar situation.

Hawaiian Commercial advanced a dollar a share this morning on the sale of eighty-five shares; Oahu is selling at 33 again, and Ewa at 32.50. The Wailua slump was mighty short-lived; the stock now selling readily at 125. Onomea sold at 51, an advance of a dollar a share.

Thus has the Christmas slump come to an end, and many of the buyers would be glad to invest all their available money at the prices that prevailed today. The whole tendency is upward.

## Americans Call For Marines

MANAGUA, Nicaragua, Dec. 21.—American citizens of Granada, the stronghold of President-elect Madriz, have appealed to the American consulate of that place to secure a force of marines for the protection of life and property.

#### ESTRADA VICTORIOUS

WASHINGTON, Dec. 21.—Reports were received from Nicaragua today that a battle was fought by forces commanded by Gen. Rama and Gen. Estrada. The latter is said to have been victorious, and the Zelayans are retreating.

## HELLO PEOPLE AGAIN AGREE

There are but a few distinguished marks by which the City and County Supervisors may recognize their old friend, the Mutual Telephone Company agreement, incorporated in the new measure which is (Continued on Page 4)

## Murderer Is Found Guilty

### Japanese Who Slew Woman In Manoa Valley Must Pay Extreme Penalty

"Guilty as charged," was the verdict returned this afternoon by the jury in the case of the Japanese Kanagawa, charged with the murder of a servant in the home of Judge Lindsay in Manoa valley. It did not take the jury long to reach their verdict, apparently attaching little weight to the attempt that was made by Attorney Larnach to show that at the time of the commission of the crime the Japanese was deranged and not in full possession of his senses to a point where he could be held to answer with his life for the slaying of the woman.

The defense of the Japanese was based upon a claim of momentary insanity, Attorney Larnach introducing testimony by Dr. Straub in an effort to show that every person that attempts to commit suicide is insane. Jealousy was the cause of the crime for which the Japanese must pay the penalty with his life. He concealed himself at night in the quarters of the woman servant employed in the family of Judge Lindsay and after cutting her throat turned the knife upon himself and tried the same means to end his existence. Although desperately wounded he survived and after recovering from his wounds was placed on trial for his life.

The case for the prosecution was conducted by Deputy City and County Attorney Milverton, who showed to the satisfaction of the jury that the crime was premeditated and that the man was in full possession of his senses when he committed the deed. The Japanese was without means to employ a lawyer and Attorney Larnach was appointed to defend the man, a decision by Judge De Bolt.

SUGAR.  
SAN FRANCISCO, Dec. 20.—Sugar, 96 degrees test, 4.08c. Previous quotation, 4.17c.  
Beets—88 analysis, 12s 33-4d. Parity, 4.60. Previous quotation, 12s 51-4d.

## What Did Frear Say To De Bolt

### Governor Said To Have Told Judge That He Would Not Support Him

Circuit Judge John Thomas De Bolt or Robbins R. Anderson now compose the accepted slate from which will be appointed the successor to Arthur A. Wilder on the Supreme Bench of the Territory—and thereby hang a number of rumors which are receiving about the same amount of credit and discredit among members of the bar.

From an authoritative source it is said that Governor Frear told Judge De Bolt plainly and without hesitation—something unusual in the Governor—that "I do not consider you competent to sit as a Justice of the Supreme Court."

If Governor Frear did make the statement attributed to him there is

little likelihood that he will concur in the endorsement voiced by the Bar Association, but has given his opinion to President Taft in favor of Anderson. That Governor Frear did express an abiding lack of confidence in De Bolt's ability to sit on the Supreme Bench seems certain, and so far the reported expression of the Governor is the most significant thing that has been discovered that can be considered jeopardizing De Bolt's chances for the place. It was unusual frankness on the part of the Governor and it is believed that he must have been hard pressed before making such an outspoken and unqualified statement.

Judge De Bolt's candidacy has (Continued on Page 5)



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